IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 20924 of 1998

Between:

1 Chinnam Ramakrishna Reddy, S/o. Venkata Reddy,
R/o. Vubalanka, Ravulapalem Mandal,
East Godavari District.
2 Chinnam Venkata Narayana Reddy, S/o. Venkata Reddy,
R/o. Vubalanka, Ravulapalem Mandal,
East Godavari District.
3 Nandikolla Satyam, S/o. Chenchu
R/o. Tadipudi, Atherayapuram Mandal,
East Godavari District.
4 Chinnam Subba Reddy, S/o. Rama Krishna Reddy,
R/o. Vubalanka, Ravulapalem Mandal,
East Godavari District.
5 Nadimpalli Visweswara Raju, S/o. N.V.Raju,
R/o. Komaragiri, I.Polavaram Mandal,
East Godavari District.
6 Mallidi Satyanarayana Reddy, S/o. Veerreddy,
R/o. Vubalanka, Ravulapalem Mandal,
East Godavari District.
7 Kovvuri Subbi Reddy, S/o. Rama Krishna Reddy,
R/o. Vubalanka, Ravulapalem Mandal,
East Godavari Disrict.
8 Padala Gouthama Reddy, S/o. Satyanarayana Reddy,
R/o. Vubalanka, Ravulapalem Mandal,
East Godavari District.
9 S.Harinarayana Reddy, S/o. Satyanarayana Reddy,
R/o. Vubalanka, Ravulapalem Mandal,
East Godavari District.
10 S.Baba Prasada Reddy, S/o. Harinarayana Reddy,
R/o. Vubalanka, Ravulapalem Mandal,
East Godavari District.
11 M/s. Vijaya Builders, Rep. Managing Partner-K.S.Prakasa Rao.
Srinivasa Nagar Colony, Vijayawada, Krishna District.

12 K.Krishna Kishore, S/o. Bhaskara Raju,
R/o. Narasipatnam, Visakhapatnam District.
13 K.Anantha Rao, S/o. Appala Swamy,
Amudalavalasa, Srikakulam District.
14 B.Rama Mohana Rao, S/o. Nageswara Rao.
R/o. Narasipatnam, Visakhapatnam District.
15 Yeka Satyanarayana, S/o. Nooka Raju,
R/o. Rolugunta Village and Mandal, Visakhapatnam District.

..... PETITIONER(S)

AND

1 The Government of Andhra Pradesh Rep. by its Secretary,
Transport Roads and Buildings (B.III) Department Secretariat,
Hyderabad.
2 The Engineer-in-Chief (R&B), Roads and Administration,
Erramanzil, Hyderabad.
3 The Engineer-in-Chief, R & B (Buildings)
Erramnazil, Hyderabad.
4 The Engineer-in-Chief,
Panchayat Raj, Hyderabad.
5 The Chief Engineer (panchayat Raj) R & B., R.W.S.,
Project and Administration, Hyderabad.
6 The Chief Engineer (World Bank Works) Panchayat Raj,
Erramanjil, Hyderabad.
7 The Chief Engineer,
Medical & Health, Hyderabad.
8 The Engineer-in-Chief, Irrigation,
Erramnajil, Hyderabad.
9 The Superintending Engineer, Irrigation Circle,
Dowleswaram, East Godavari District.
10 The Superintending Engineer, Construction Circle,
Dowleswaram, East Godavari District.
11 The Superintending Engineer, Irrigation Circle,
Visakhapatnam
12 The Executive Engineer, Godavari Head Works Division,
Dowleswaram, East Godavari District.
13 The Executive Engineer, Vamsadhara Project,
Heeramandalam, Srikakulam District.
14 The Director of Accounts, S.A.C.B.,
Dowleswaram, East Godavari District.
15 The Assistant Pay and Accounts Officer, S.A.C.B.,
Dowleswaram, East Godavari District.
16 The Assistant Pay and Accounts Officer, Vamsadhara Project,
Srikakulam District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, declaring the G.O.Ms.No. 6 Transport

Roads and Buildings (B.III) Department, dated 12/01/1996 as illegal, arbitrary and irrational and consequently direct the respondents to restore old procedure of recovering the seigniorage fee from the bills of the contractors in accordance with G.O.Ms.No. 205, Transport, R & B (B.III) Department dated 8/10/1993.

Counsel for the Petitioner:MR.N.SIVA REDDY

Counsel for the Respondent No.: GP FOR ROADS & BUILDINGS

The Court made the following order:

THE HON'BLE SRI JUSTICE N.V.RAMANA

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W.P. 20924 OF 1998

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ORDER:

This writ petition is filed seeking to declare the G.O. Ms.No.6 Transport, Roads & Buildings Departments, dated 12-01-1996 as illegal, arbitrary and irrational and consequently to direct the respondents to restore the earlier procedure for recovering the seigniorage charges from the bills of the contractors by the R & B Department in accordance with G.O.Ms. No.205 Tr & B, dated 08-10-1993.

It is submitted by the learned Special Government pleader for Transport and admitted to by the learned counsel for the petitioner that the subject matter of this writ petition is squarely covered by the common order passed by this Court in W.P. No.7456 of 1997 and batch, dated
07-10-1998.

In the circumstances, following the common order of this Court in W.P. No.7456 of 1997 and batch, dated 07-10-1998, this writ petition is dismissed for the same and similar reasons. No costs.

However, it is made clear that the conditions stipulated in G.O. Ms. No.6, dated 12-01-1996 are applicable only in respect of the contracts for which the agreements are executed on or after 12-01-1996, and the works covered prior to that date shall be processed under G.O. Ms. No.205, dated 08-10-1993. If the petitioner had already drawn his bills pending payment of seigniorage fee, he shall now pay the same within a period of eight weeks from today, if not already paid. If the petitioner failed to comply with the condition, he shall also pay the penalty of five times, if the agreements are concluded and civil works carried out beyond 12-01-1996, within a period of six weeks from today.

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N.V. RAMANA, J

28-3-2005

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To

1 The Secretary, Government of Andhra Pradesh,
Transport Roads and Buildings (B.III) Department Secretariat,
Hyderabad.
2 The Engineer-in-Chief (R&B), Roads and Administration,
Erramanzil, Hyderabad.
3 The Engineer-in-Chief, R & B (Buildings)
Erramnazil, Hyderabad.
4 The Engineer-in-Chief,
Panchayat Raj, Hyderabad.
5 The Chief Engineer (panchayat Raj) R & B., R.W.S.,
Project and Administration, Hyderabad.
6 The Chief Engineer (World Bank Works) Panchayat Raj,
Erramanjil, Hyderabad.
7 The Chief Engineer,
Medical & Health, Hyderabad.
8 The Engineer-in-Chief, Irrigation,
Erramnajil, Hyderabad.
9 The Superintending Engineer, Irrigation Circle,
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Dowleswaram, East Godavari District.
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Dowleswaram, East Godavari District.
16 The Assistant Pay and Accounts Officer, Vamsadhara Project,
Srikakulam District

17.. 2 CCs to Government Pleader for R & B, High Court of A.P. Buildings, Hyderabad (OUT)

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